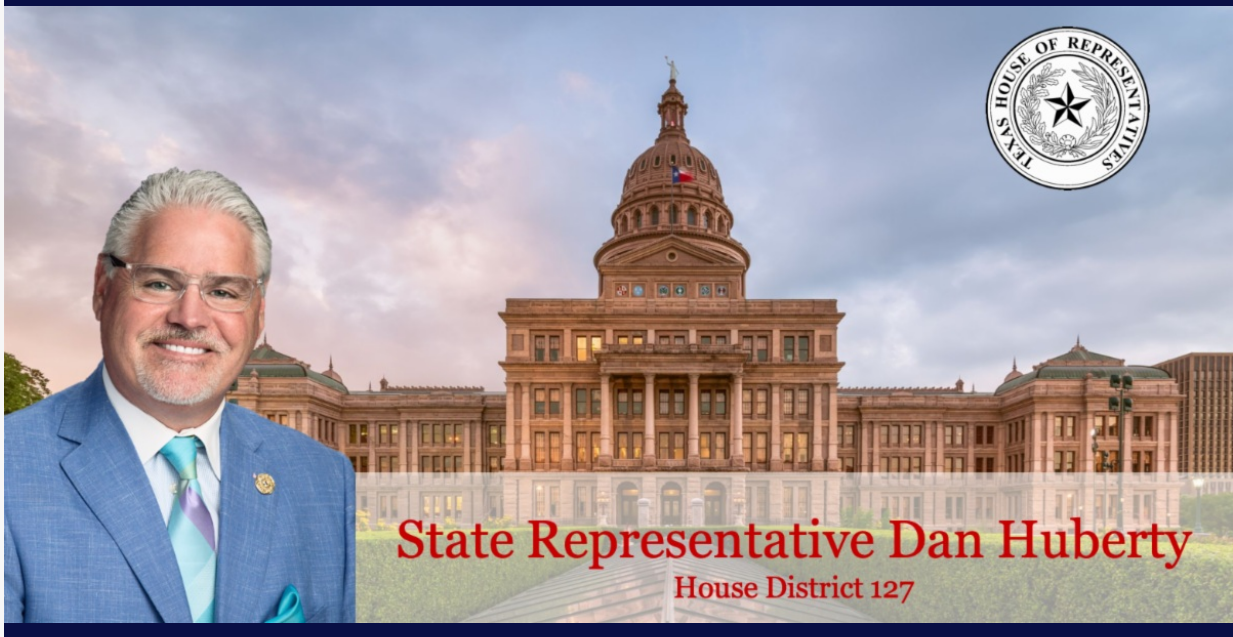


[Share](#)[Tweet](#)

July 31, 2020

It has been a very busy week for those of us in the public education field. On Monday, I issued an opinion editorial regarding the Harris County Order to close all schools until at least September 8th. You can read the piece in full below, [or by clicking here](#), but in short, I stated that this action was ill conceived and misguided.

And I was not alone in this sentiment, as the next day Attorney General Ken Paxton issued an advisory letter regarding sweeping local closure orders and stating that the role of local health authorities are "...limited by statute to addressing specific, actual outbreaks of disease." To read the letter in full, visit: <https://www.texasattorneygeneral.gov/news/releases/ag-paxton-issues-legal-guidance-school-reopening>

On Wednesday, Mike Morath, the Commissioner of the Texas Education Agency, issued a statement on funding for the 2020-2021 academic year saying: "School systems planning on starting the year with 100 percent remote instruction will still be fully funded in accordance with TEA's previously announced 8-week back to school transition funding waiver. Lawful building closure orders will continue to enable a school system to be funded when providing remote-only instruction." You can view this statement in full [by clicking here](#).

Then just today, I joined Governor Abbott, Lt. Governor Patrick, Speaker Bonnen and Chairman Taylor in releasing further clarification on school reopening guidance: "School boards established by the Texas legislature play a unique and pivotal role in school decisions that must not be superseded by other local authorities unless expressly allowed. It is clear that school boards can and should work collaboratively with, but not be subject to the advance directives of, local public health authorities, to ensure a safe and effective learning environment for Texas students." This statement can be viewed in full at: <https://gov.texas.gov/news/post/governor-abbott-lt-governor-patrick-speaker-bonnen-chairman-taylor-chairman-huberty-release-statement-on-school-re-openings>

Should you have any questions about the information below, please do not hesitate to contact us. Please utilize email communication with our office during this time, via the email contact information at the bottom of this newsletter.

Sincerely,



Harris County Order Related to In-Person Instruction and Extracurricular Activity



State Representative Dan Huberty House District 127 Opinion Editorial - July 27, 2020

On Friday, Harris County and City of Houston Health Officials issued an order to effectively shut down in-person instruction for all schools in Harris County until at least September 7, 2020. The order halts all extracurricular activities, student athletic training and strength conditioning even though many districts had already issued safe and responsible guidance and protocols.

I believe the plan is ill conceived, and misguided. Judge Hidalgo and I spoke for the first time on Thursday where she led me to believe I was being asked to provide input. But it became clear during that conversation that she had already made her decision.

I was notified on Friday by Judge Hidalgo that she was moving forward with the order. This order goes against everything Harris County and the City of Houston have fiercely complained about during this entire pandemic, local control.

As she explained in our first phone call, the order is simply political cover for school districts who were feeling pressure about reopening and did not want to be caught between the differing needs and wants of parents and employees. Even more alarming, she also indicated this order will likely be extended to October!

At the state level, we spent months working with superintendents, teachers, and medical advisers to offer thoughtful options for safely re-opening schools this fall insuring maximum flexibility to our Independent School Districts. We listened to all parties, and while it may not address every concern it represents a balanced approach based on the best medical data available.

That guidance can be found here <https://tea.texas.gov/coronavirus> and guidance from the Centers for Disease Control and Prevention can be found here <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/reopening-schools.html>.

Texas Education Agency guidance is clear, school districts are to work in conjunction with the Department of State Health Services, local health authorities, staff, teachers, parents, and elected school boards to create a plan that best meets their specific needs. Judge Hidalgo's order contradicts the state guidance by requiring every school district in Harris County to present a plan to the County and City for official approval to reopen.

My advice to Judge Hidalgo, based upon months of work at the state level was clear and simple:

1. Permit students with Special Needs to receive in-person instruction. This most vulnerable student population have not been in school for six months and desperately need to receive services as prescribed by their IEP (Individual Education Plan).
2. Allow students who lack internet connectivity or hardware, foster children, and homeless children the ability to also attend in-person as these children's ability to receive remote virtual education is limited.
3. Allow the children of educators who will be providing virtual instruction on campus to attend in-person classes, as childcare is an issue for our educators.
4. Allow UIL participants to begin their activities, provided they follow proper guidelines; this includes football strength and conditioning, band practice, student organization meetings and various other activities.

We all care deeply about the health and safety of our citizens, teachers, staff, educating our children, and supporting parents who need to return to work. Judge Hidalgo's order has severe consequences that cannot be overlooked:

- Data suggests the incidence of child abuse has dramatically increased since the initial school closures. This is directly correlated to school closures as teachers, and school nurses are most likely to spot and report abuse.
- Nutrition for thousands of students is further compromised with restrictions on occupancy that will impact campuses providing food distribution.
- Children with intellectual or physical disabilities receive nearly all therapies and service through schools, and these services are nearly impossible to provide through distance learning models.
- Students, now more than ever, need the academic and emotional support of school counselors and their peers.
- The public needs to return to work and lack childcare options. They depend on schools being open to educate their children and so they can feed their families.

As a former school board member, it is the responsibility of the elected school board to make decisions in the best interest of the children, parents, and their staff, and not to seek political cover from another elected official. We must work collaboratively to get our students back to school. This is just one more example of why we must continue to stand up and fight to protect our liberties and freedoms, otherwise we may turn around one day, and it will all be gone.

Dan Huberty
State Representative
Chairman House Committee on Public Education

State Updates

Gov. Abbott, Lt. Gov. Patrick, Speaker Bonnen, Chairman Taylor & Chairman Huberty Issue Update on Schools Reopening

AUSTIN, TX - Today, Governor Greg Abbott, Lieutenant Governor Dan Patrick, Speaker Dennis Bonnen, Senate Education Chairman Larry Taylor, and House Education Chairman Dan Huberty released the following statement on school re-openings this fall:

"The Texas Education Agency's (TEA) guidance for opening public schools in Texas for the 2020-21 school year remains the same as announced two weeks ago. This guidance followed a letter issued jointly by the Governor, Lieutenant Governor, Speaker, and Chairs of the Senate and House Education Committees.

"The top priority is protecting the safety and health of students, teachers, staff, and families. To achieve that goal, the TEA provided local school boards the flexibility they need to open schools in ways that ensure public safety while also providing the best education options for students during this challenging school year.

"The TEA guidance applies long-standing state law and Executive Orders to conclude that the authority to make decisions about when and how schools safely open rests with the constitutionally and statutorily established local school boards.

"The authority to decide when the school year will begin lies with local school boards. They can choose dates in August, September, or even later. But, whenever the local school board chooses to open, the board must comply with the requirement to provide the necessary number of days and hours of instruction for students.

"The authority to decide how schools will safely open this year, again, lies with local school boards. It can be with students in schools, it can be through remote learning, or a combination of the two. In making that decision, school boards have the ability to base their decisions on advice and recommendations by local public health authorities but are not bound by those recommendations.

"As the TEA previously announced, school boards have up to a 4-week back to school transition period during which they can offer a solely remote instructional setting if that is deemed needed for the health and safety of students, teachers, staff and parents. After 4 weeks, the school district can extend the transition period up to another 4 weeks with a vote of the school board and receiving a waiver. If any school district believes they need an extension beyond 8 weeks due to COVID-19 related issues, the TEA will review that request on a case-by-case basis.

"If at any time during the school year a COVID-19 case is confirmed on a school campus, the school board has the ability to close the campus for up to 5 days to sanitize the campus. Schools that close under this scenario will continue to be funded for providing remote-only instruction.

"Additionally, during the course of the school year, a local public health authority may determine that a

school building must be closed in response to an outbreak. If that occurs, that school will continue to receive funding for providing remote-only instruction during the period of that closure.

"Local school boards also have the flexibility to achieve health and safety goals by offering alternating on-campus/remote instruction for high school students in order to reduce the number of students in campus buildings at one time.

"The TEA and the Attorney General correctly note that local health authorities play an important role in school closure determinations during the course of a school year if it is determined that a contamination has occurred necessitating closure, but local health authorities do not have the power to issue preemptive, blanket closures of schools weeks or months in advance of when a school may open its doors to students. Pre-existing Executive Orders have repeatedly made clear that local government operations, such as public schools, are permitted to be open.

"School boards established by the Texas legislature play a unique and pivotal role in school decisions that must not be superseded by other local authorities unless expressly allowed. It is clear that school boards can and should work collaboratively with, but not be subject to the advance directives of, local public health authorities, to ensure a safe and effective learning environment for Texas students."

[View the Statement in Full by Clicking Here](#)

AG Paxton Issues Legal Guidance on School Reopening



KEN PAXTON
ATTORNEY GENERAL *of* TEXAS

AG Paxton Issues Legal Guidance on School Reopening

Attorney General Ken Paxton today issued guidance on the opening of local schools for the upcoming school year, during the ongoing COVID-19 pandemic, responding to a request from Stephenville Mayor Doug Svien. While playing an important role in...

[Read more](#)

www.texasattorneygeneral.gov

TEA Comm. Morath Issues Further Guidance on Funding for the 2020-2021 Academic Year



Statement from TEA Comm. Morath Regarding Funding...

"School systems planning on starting the year with 100 percent remote instruction will still be fully funded...Lawful building closure orders will continue to enable a school system to be funded..."

[Read more](#)
tea.texas.gov

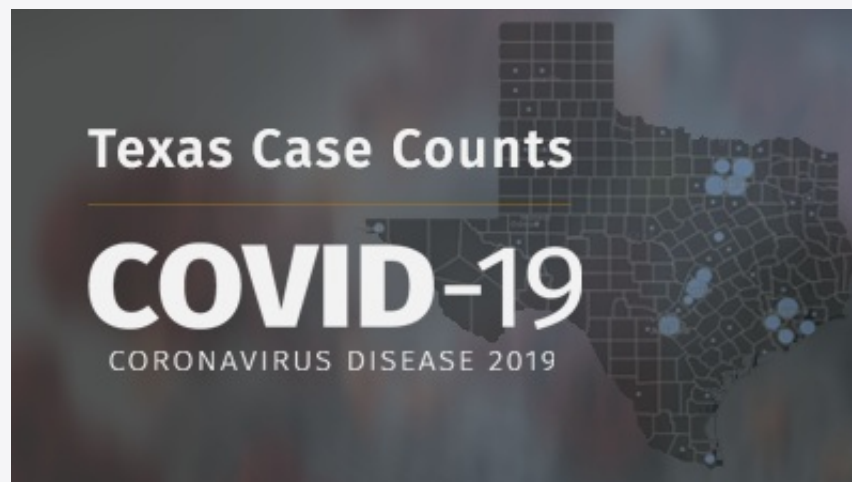
TABC Issues Guidance for Businesses to Reopen

Message From the TABC Chairman and Executive Director

TABC released new guidance that will enable 51% businesses to safely open their doors and get Texans to back to work. As business owners observe all of the necessary health and safety requirements in order to return to work...

[Read more](#)
www.tabc.texas.gov

DSHS: COVID-19 Case Dashboard



HHSC: Federal CARES Act Provider Relief Fund

MEDICAID AND CHIP PROVIDERS:

Federal funding is available!

Apply by **Aug. 3**

To apply, visit
hhs.gov/providerrelief
and choose "For Providers"



City of Houston & Harris County Updates

Harris County Public Health Dashboard



Harris County
Public Health
Building a Healthy Community

Virtual Community Engagement Meeting for the San Jacinto Regional Watershed Master Drainage Plan



The San Jacinto Regional Watershed Master Drainage Plan (SJMDP), led by the Harris County Flood Control District, along with local partners Montgomery County, the City of Houston, and the San Jacinto River Authority (SJRA), will host a virtual public meeting in August 2020. The purpose of the virtual public meeting is to provide information about study progress and encourage public participation and input in the SJMDP.

The SJMDP study effort began in April 2019 to identify future flood mitigation projects that can be implemented in the near- and long-term to reduce flood risks to people and property throughout the San Jacinto River regional watershed. The SJMDP study area covers nearly 3,000 square miles located in seven different counties and includes approximately 535 miles of stream. The SJMDP is jointly funded with 75 percent from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Planning Program and 25 percent from the four local partners. Overall, the SJMDP aims to provide an up-to-date technical basis to identify flooding vulnerabilities for existing infrastructure and impacts from future growth to improve flood resiliency within the watershed. The SJMDP is scheduled for completion in fall 2020.

Community engagement is an important component of the Bond Program, and we invite your participation as the program is implemented. The virtual community engagement meeting will be held on:

**Thursday, August 13, 2020
6:30 p.m. to 7:30 p.m.**

Join online at PublicInput.com/SanJacMasterPlan
Or by phone at 855-925-2801 with Meeting Code: 9742

The meeting will begin with a brief presentation to share project updates, followed by a moderated Q&A session with Flood Control District team members. Residents will be able to submit questions and comments throughout the presentation. Any comments not addressed during the Q&A session will receive a response after the event.

A recorded version of the meeting will be available on the Flood Control District's website and YouTube channel after the event. Meeting accommodations can be made for those with disabilities. If needed, please contact 346-286-4152 at least 48 hours prior to the meeting.

For questions, please contact the Flood Control District at 346-286-4152, or complete the online [comment form](#). Comments may also be mailed to the Harris County Flood Control District, 9900 Northwest Freeway, Houston, Texas 77092, Attn: San Jacinto Regional Watershed Master Drainage Plan. For more information about the San Jacinto Regional Watershed Master Drainage Plan, visit www.sanjacstudy.org.

Meeting accommodations can be made for those with disabilities. If needed, please contact 346-286-4152 at least 48 hours prior to the meeting.

Houston Health Department COVID-19 Public Opinion Survey



COVID-19 Public Opinion Survey

Please click the link to complete this form.

[Read more
form.jotform.com](https://form.jotform.com)

Capitol & District Office Closures

The District & Capitol offices will remain closed in line with suggested Stay Home, Work Safe guidelines. Please utilize email communication with our office during this time, via the email contact information at the bottom of this newsletter or district127.huberty@house.texas.gov.

Contact Information

State Representative
Dan Huberty

Capitol Physical Address:
1100 Congress Avenue E2.408

District Address:
4501 Magnolia Cove

[Email Dan](#)

Austin, TX 78701

Suite 201
Kingwood, TX 77345

Casey Christman
Chief of Staff
[Email Casey](#)

Capitol Mailing Address:
P.O. Box 2910
Austin, TX 78768

District Phone:
(281) 360-9410

Jack Reed
Legislative Director
[Email Jack](#)

Capitol Phone:
(512) 463-0520

Capitol Fax:
(512) 463-1606

*This newsletter was not sent by State expense.
Paid political advertising by Friends of Dan Huberty.*